John R. Dodd (admitted *pro hac vice*)
Baker & McKenzie LLP
1111 Brickell Avenue, 10th Floor
Miami, FL 33130
Telephone 205, 780, 8000

Telephone: 305-789-8900 Facsimile: 305-789-8953

Email: john.dodd@bakermckenzie.com

Blaire Cahn Baker & McKenzie LLP 452 Fifth Avenue New York, NY 10018 Telephone: 212-626-4100 Facsimile: 212-310-1600

Email: blaire.cahn@bakermckenzie.com

Proposed Counsel for the Debtors and Debtors-in-Possession

# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re	Chapter 11
ACORDA THERAPEUTICS, INC., et al.,1	Case No. 24-22284 (DSJ)
Debtors.	Joint Administration Requested
/	

## NOTICE OF HEARING AND AGENDA FOR FIRST DAY HEARING

PLEASE TAKE NOTICE that on April 1, 2024, Acorda Therapeutics, Inc. and its debtor subsidiaries, as debtors and debtors in possession in the above-captioned chapter 11 cases (collectively, the "Debtors"), each filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code") with the United States Bankruptcy Court for the Southern District of New York (the "Court").

PLEASE TAKE FURTHER NOTICE that a hearing (the "First Day Hearing") has been scheduled for April 4, 2024 at 11:00 a.m. (prevailing Eastern Time) before the Honorable David

<sup>&</sup>lt;sup>1</sup> The Debtors in these chapter 11 cases, along with the last four (4) digits of each Debtor's federal tax identification number, are: Acorda Therapeutics, Inc. (1168), Civitas Therapeutics, Inc. (2814), Biotie Therapies, LLC (2149), Biotie Therapies AG (N/A), Acorda Therapeutics Ireland Limited (N/A), Neuronex, Inc. (5094), and Acorda Therapeutics Limited (N/A). For the purposes of these chapter 11 cases, the address for the Debtors is: 2 Blue Hill Plaza, 3rd Floor, Pearl River, New York 10965.

S. Jones, United States Bankruptcy Judge, United States Bankruptcy Court for the Southern District of New York, Courtroom 701, One Bowling Green, New York, New York 10004, in order to consider, among other things, the relief requested by the Debtors in the First Day Pleadings (as defined below).

PLEASE TAKE FURTHER NOTICE that the First Day Hearing will be conducted in person and through Zoom for Government. Parties wishing to appear telephonically or participate remotely at the First Day Hearing (whether "live" or "listen only") must make an electronic "eCourtAppearances" appearance through the tab on the https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl prior to 4:00 p.m. (prevailing Eastern Time) on April 3, 2024 (the "Appearance Deadline"). Instructions for making a telephonic appearance and additional information on the Court's telephonic procedures can be found at: https://www.nysb.uscourts.gov/ecourt-appearances. Following the Appearance Deadline, the Court will circulate by email the Zoom link to the First Day Hearing to those parties who have made an electronic appearance.

**PLEASE TAKE FURTHER NOTICE** that copies of each pleading identified below can be viewed and/or obtained by: (i) accessing the Court's website at www.nysb.uscourts.gov, or (ii) from the Debtors' proposed notice and claims agent, Kroll Restructuring Administration LLC (the "Claims Agent"), at https://cases.ra.kroll.com/acorda or by calling (844) 974-1917 (toll free) for U.S. and Canada based parties or +1 (646) 777-2412 for international parties. Note that a PACER password is needed to access documents on the Court's website.

PLEASE TAKE FURTHER NOTICE that the First Day Hearing may affect your rights. Please read the below motions and applications to be heard at the First Day Hearing (the "First Day Pleadings") carefully.

**PLEASE TAKE FURTHER NOTICE** that if you oppose the relief requested in the First Day Pleadings, or if you want the Court to hear your position on the First Day Pleadings, then you or your attorney must attend the First Day Hearing. If you or your attorney do not follow the foregoing steps, the Court may decide that you do not oppose the relief requested in the First Day Pleadings and may enter orders granting the relief requested by the Debtor.

**PLEASE TAKE FURTHER NOTICE** that an agenda for the First Day Hearing is set forth below.

#### AGENDA FOR APRIL 4, 2024 at 11:00 A.M. – FIRST DAY HEARING

### I. Related Pleadings

- 1. Voluntary Petitions of Acorda Therapeutics, Inc. and its affiliated debtors and debtors-in-possession
- 2. Declaration of Michael A. Gesser in Support of the Debtors' Chapter 11 Petitions and First Day Pleadings [Docket No. 7]

## II. First-Day Pleadings

- 3. Motion of the Debtors for Entry of an Order (I) Directing the Joint Administration of the Chapter 11 Cases and (II) Granting Related Relief [Docket No. 6]
- 4. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing Debtors to Obtain Postpetition Financing Pursuant to Section 364 of the Bankruptcy Code, (II) Authorizing the Use of Cash Collateral Pursuant to Section 363 of the Bankruptcy Code, (III) Granting Adequate Protection to the Prepetition Secured Parties Pursuant to Sections 361, 362, 363, and 364 of the Bankruptcy Code, (IV) Granting Liens and Superpriority Claims, (V) Modifying the Automatic Stay, and (VI) Scheduling a Final Hearing [Docket No. 14]
- 5. Motion of Debtors for Entry of Interim and Final Orders (I) Establishing Notice and Objection Procedures for Transfers of Equity Securities, and (II) Granting Related Relief [Docket No. 20]
- 6. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing Debtors to (A) Continue Using Existing Cash Management System, Bank Accounts, and Business Forms, (B) Continue Intercompany Transactions, (II) Granting Administrative Expense Status to Postpetition Intercompany Claims, and (III) Waiving Certain Operating Guidelines [Docket No. 15]
- 7. Motion of the Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Maintain and Administer Prepetition Customer and Sales Programs and (B) Pay and Honor Related Prepetition Obligations and (II) Granting Related Relief [Docket No. 13]
- 8. Motion of the Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Pay Prepetition Obligations on Account of Compensation and Benefit Programs and (B) Continue the Employee Compensation and Benefits Programs, and (II) Granting Related Relief [Docket No. 9]
- 9. Motion of the Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to Pay Certain Prepetition Claims of Lien Claimants, and (II) Granting Related Relief [Docket No. 16]
- 10. Motion of the Debtors for Entry of Interim and Final Orders (I) Authorizing Payment of Prepetition Claims of Critical Vendors, and (II) Granting Related Relief [Docket No. 17]
- 11. Motion of the Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to Pay Prepetition Taxes and Regulatory Fees and (II) Granting Related Relief [Docket No. 11]
- 12. Motion of the Debtors for Entry of Interim and Final Orders (I) Establishing Procedures for Determining Adequate Assurance of Payment, (II) Finding Utilities

- Adequately Assured of Payment, (III) Prohibiting Utilities from Altering, Refusing, or Discontinuing Utility Services, and (IV) Granting Related Relief [Docket No. 10]
- 13. Application of the Debtors for Appointment of Kroll Restructuring Administration LLC as Claims and Noticing Agent [Docket No. 12]
- 14. Motion of Debtors for Entry of an Order (I) Authorizing the Debtors to (A) Prepare a Consolidated List of Creditors in Lieu of Submitting a Separate Mailing Matrix for Each Debtor (B) File a Consolidated List of Their 30 Largest Unsecured Creditors, (C) Redact Certain Personal Identifiable Information, and (II) Approving the Form and Manner of Notifying Creditors of Commencement of These Chapter 11 Cases [Docket No. 8]
- 15. Motion of the Debtors for Entry of Interim and Final Orders (I) Extending the Time to File Schedules of Assets and Liabilities, Schedules of Current Income and Expenditures, Schedules of Executory Contracts and Unexpired Leases, and Statements of Financial Affairs, and (II) Waiving the Requirement to File List of Equity Security Holders and Provide Notice to Equity Security Holders [Docket No. 18]

Dated: April 3, 2024 BAKER & McKENZIE LLP

/s/ Blaire Cahn

John R. Dodd (admitted pro hac vice)

**BAKER & McKENZIE LLP** 

1111 Brickell Avenue, 10th Floor

Miami, FL 33131

Telephone: 305-789-8900 Facsimile: 305-789-8953

Email: john.dodd@bakermckenzie.com

and

Blaire Cahn

**BAKER & McKENZIE LLP** 

452 Fifth Avenue New York, NY 10018 Telephone: 212-626-4100 Facsimile: 212-310-1600

Email: blaire.cahn@bakermckenzie.com

Proposed Counsel for the Debtors and

Debtors-in-Possession